UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

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) Case No. 3:11-cv-1199
) Judge Trauger
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ORDER

For the reasons expressed in the accompanying Memoranda, the Defendants' Motion to Dismiss for Lack of Personal Jurisdiction and Improper Venue (Docket No. 31) and the plaintiff's Motion to Amend First Amended Complaint (Docket No. 37) are **DENIED**. The Defendants' Motion to Dismiss for Failure to State a Claim (Docket No. 33) is **GRANTED** and the plaintiff's claims are dismissed without prejudice. The plaintiff shall have until January 14, 2012, to file a motion for leave to amend its Amended Complaint or to otherwise move for an extension of this deadline. If neither motion is filed by the January 14, 2012 deadline, the clerk is directed to enter a final judgment dismissing this case with prejudice.

It is so ordered.

Enter this 17th day of December 2012.

ALETA A. TRAUGER United States District Judge